

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

KENNETH LUCOUS,

Plaintiff(s),

vs.

KENNETH S. APFEL, COMMISSIONER OF :
SOCIAL SECURITY,

Defendant(s).

: Case Number: 3:99cv523

: District Judge Susan J. Dlott

ORDER

This matter is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Michael R. Merz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and filed with this Court on February 8, 2008 a Report and Recommendation (Doc. 21). Subsequently, the defendant filed objections to such Report and Recommendation (Doc. 22).

The Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Recommendations should be adopted.

Accordingly, the Commissioner's decision that Plaintiff was not disabled prior to the date she last met the insured status of the Act is REVERSED. Although in doing so, it adds to this matter's long and tortuous history, it is also ORDERED that this matter be REMANDED to the Commissioner for further administrative proceedings.

IT IS SO ORDERED.

s/Susan J. Dlott

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Susan J. Dlott
United States District Judge